

In 2014, the Australian government continued to contend with a surge in asylum seekers arriving in the country by boat. Authorities adhered to the country's strict immigration policies, denying asylum seekers entry rather diverting them to offshore processing centers in Papua New Guinea and Nauru, where temporary detention camps were reopened in 2013. The issue culminated in changes to the country's immigration legislation, approved Parliament in December, that reintroduced controversial temporary visas for refugees. Australia elevated its terror alert level in September after security agencies uncovered evidence of domestic terrorist threats, particularly from supporters of the Islamic State (IS) militant group.

Political Rights and Civil Liberties:

Political Rights: 39 / 40 [Key]

A. Electoral Process: 12 / 12

A governor general, appointed on the recommendation of the prime minister, represents the British monarch as head of state. The prime minister is the leader of the majority party or coalition in Parliament.

Voting is compulsory, and citizens participate in free and fair multiparty elections to choose representatives for the bicameral Parliament. The Senate, the upper house, has 76 seats, with 12 senators from each of the six states and two from each of the two mainland territories. Half of the state members, who serve six-year terms, are up for election every three years; all territory members are elected every three years. All 150 members of the House of Representatives, the lower house, are elected by popular preferential voting to serve three-year terms, and no state can have fewer than five representatives.

Tony Abbott of the Liberal Party took office as prime minister in 2013 after federal elections, replacing Kevin Rudd of the Australian Labor Party. Although Rudd had attempted to improve Labor's public image, which was harmed by internal conflict and unpopular legislative initiatives, the elections were one of the worst showings for Labor on a federal level. The Liberal Party/National Party coalition took 90 of the 150 seats in the House of Representatives. Labor won 55 seats, while the rest were captured by smaller parties. In the Senate, the Liberal coalition took 33 seats, with Labor capturing 31, the Green Party taking 9, and one seat each going to the Democratic Labor Party and an Independent.

B. Political Pluralism and Participation: 15 / 16

Political power alternates between the Labor Party and the Liberal Party/National Party coalition. The left-leaning Green Party tends to ally with Labor, while a number of small nationalist and conservative parties often ally with the Liberal Party. In the 2013 federal elections, Abbott's coalition scored a decisive 90-seat majority in the lower legislative house. Since the Green Party generally opposes the Liberal/National coalition, the coalition nevertheless needs the support of legislators from small parties to pass or repeal legislation.

Native aboriginal peoples continue to fight for a greater voice in politics. The first indigenous woman was elected to Parliament in 2013. Other groups are slowly finding success in local and national politics. A Pakistani-born female environmental engineer became the first Muslim lawmaker in Australia by filling an

upper house seat in the New South Wales legislature in 2012. Penny Wong, an ethnic Chinese born in Malaysia, became the first openly gay minister when she joined the Labor government in 2010.

C. Functioning of Government: 12 / 12

Australia was ranked 11 out of 175 countries and territories in Transparency International's 2014 Corruption Perceptions Index. A high degree of transparency and accountability prevails in the functioning of government. Policies and initiatives are openly discussed, examined, and criticized in Parliament and the media.

Civil Liberties: 58 / 60

D. Freedom of Expression and Belief: 16 / 16

While the constitution does not explicitly protect freedoms of speech and the press, individuals and the media freely criticize the government without reprisal. Some laws restrict the publication and dissemination of material that promotes or incites terrorist acts. Ownership of private print media is highly concentrated, but there are many online, television, and radio news and entertainment outlets, both private and public. The government does not generally restrict access to the internet.

Religious and academic freedoms are generally respected. The only overt intervention is a prohibition against anti-Australian messages in places of worship and schools under the country's antiterrorism laws.

E. Associational and Organizational Rights: 12 / 12

Freedoms of assembly and association are not explicitly codified in law, but the government respects these rights in practice. Workers can organize and bargain collectively.

F. Rule of Law: 15 / 16

The judiciary is independent, and prison conditions generally meet international standards. Antiterrorism laws have tightened since 2001. Legislation enacted in 2005, with a 10-year sunset clause, allows police to detain suspects without charge and includes "shoot to kill" provisions, the criminalization of violence against the public and Australian troops overseas, and authorization for the limited use of soldiers to meet terrorist threats on domestic soil. Legal scholars and opponents of antiterrorism laws continue to question whether these measures are needed and effective. Australian immigration has expanded the use of electronic biometric captures of fingerprints and facial images for visitors since 2011, with emphasis on individuals from countries deemed a high risk because of the presence of Islamist extremism.

In September 2014, Australia raised its terror alert level from medium to high following fears that sympathizers of extremist militants might carry out domestic attacks; the government estimates that 60

Australian citizens work with militants in Iraq and Syria. Police raids in Brisbane and Sydney in September led to the detention of multiple terror suspects, some of whom were charged for an alleged plot. Separately that month, police fatally shot an 18-year old alleged sympathizer after he attacked two officers.

New antiterrorism measures passed in October include provisions for the designation of “no-go zones” around the world. Those traveling to such areas may be required upon return to prove that they had not participated in terrorist activity. Individuals who travel to such an area without a “legitimate” reason—including visiting family members or engaging in humanitarian work—can face up to 10 years in prison. Syria’s Al-Raqqa province was declared the first no-go zone in December.

Australia’s strict immigration and asylum policies faced several legal challenges in 2014. Despite international criticism, the High Court in June upheld the constitutionality of using Papua New Guinea as a regional processing center; the Labor government had reopened detention facilities there in 2013. A case challenging the government’s authority to detain and turn back asylum seekers at sea was ongoing at the end of the year. Although Parliament remains divided on long-term solutions to the issue, it voted in December 2014 to reintroduce a stopgap measure—a temporary visa that allows refugees to work and live in Australia for three to five years but denies them permanent residence.

Human rights groups have expressed particular concern for women and children at the overseas detention centers, pointing to poor living conditions and a lack of physical and mental health services. Local police in Papua New Guinea face criticism for poor preparedness and responsiveness. In February, violence at the Papua New Guinea facility resulted in the death of one detainee and injuries to more than 60 others. A Senate Committee inquiry report on the incident, released in December, found that Canberra had “failed in its duty” to protect asylum seekers. A new village in Lorengau, a provincial capital in Papua New Guinea, was completed in 2014 and is expected to help ease overcrowding. In September, Australia signed a memorandum with Cambodia to relocate detainees from Nauru to a facility outside of Phnom Penh if they are determined to be refugees. Human rights groups denounced the plan, citing Cambodia’s poor human rights record and lack of capacity to assist refugees.

In 2012, the government officially apologized to victims of homophobia, sexual predation, and rape in the military after a government-commissioned study found more than 1,000 claims dating back to the 1950s. In 2013, the government apologized for a policy that forced unmarried mothers to allow their babies to be adopted by childless couples. The policy lasted into the 1970s; thousands or tens of thousands of such forced adoptions are believed to have taken place.

In recent years, the country has experienced ethnic tensions and violent incidents involving South Asian and other immigrant groups. This had a negative effect on foreign student enrollment—an important source of income for many universities. Improved policing, community efforts, reduced visa fees, and government assurances have helped enrollment to rebound.

G. Personal Autonomy and Individual Rights: 15 / 16

Citizens and legal residents in Australia enjoy the right to move freely and choose their own residence. An open and free market economy, the country has a high level of economic freedom for businesses and individuals.

Aborigines comprise about 2 percent of the population. Underrepresented at all levels of government and lagging considerably behind other groups in key social and economic indicators, they also suffer higher rates of incarceration, are more frequently involved in violent crimes, and report routine mistreatment by

police and prison officials. Women enjoy equal rights and are gaining greater parity in pay and promotion in public and private sector jobs. However, violence against women remains a problem, particularly for indigenous women. The military opened combat positions to women in 2012.

Gay men and lesbians can serve in the military. Federal law grants legal residence to foreign same-sex partners of Australian citizens. Same-sex civil partnerships are recognized in the Australian Capital Territory (ACT) and four Australian states, but same-sex marriage is not legal, as an amendment to the Federal Marriage Act in 2004 defined marriage as a union between a man and a woman.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

[Full Methodology](#)